

**UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Christine Cleveland, on behalf of herself
and all others similarly situated,

Case No.: 1:23-cv-00215-DMT-CRH

Plaintiff,

v.

**NOTICE OF DISMISSAL
WITHOUT PREJUDICE**

Dakota Eye Institute, LLP and Dakota Eye
Institute, P.C.,

Defendants.

PLEASE TAKE NOTICE that Plaintiff Christine Cleveland (“Plaintiff”), in her individual capacity and on behalf of all others similarly situated, hereby moves under Fed. R. Civ. P. 41(a)(1)(A)(i) to dismiss the Class Action Complaint without Prejudice in the matter captioned *Christine Cleveland, et al. v. Dakota Eye Institute, LLP, et al.*, Case No. 23-cv-00215-DMT-CRH (Dist. ND). Plaintiff is entitled to dismissal without a Court order because Defendants Dakota Eye Institute, LLP and Dakota Eye Institute, P.C., have not filed an Answer or otherwise responded to the Complaint filed on November 11, 2023 (ECF No. 1).

Dated: January 3, 2024

/s/Joshua Sanford

Joshua Sanford (AR #2001037)

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CERTIFICATE OF SERVICE

Dakota Eye Institute, LLP and Dakota Eye
Institute, P.C.,

Defendants.

The undersigned hereby certifies that on this ____ day of December, 2023, I caused the foregoing document to be filed electronically via the Court's CM/ECF system, which will send an Electronic Court Filing Notification (ECF) to all counsel of record. I further certify that I caused a paper copy to be sent to Defendants Dakota Eye Institute, LLP, and Dakota Eye Institute, P.C., at the below addresses via First Class Mail, postage pre-paid, and dropped in a mail pick-up location within the city of Minneapolis, Minnesota.

Dakota Eye Institute, LLP
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Bismarck, ND 58504-5675

Dakota Eye Institute, P.C.
200 S. 5th Street
Bismarck, ND 58504-5675

Dylan M. Stanek, Legal Assistant